



TO THE MEMBER ASSOCIATIONS OF FIFA

Circular no. 1635

Zurich, 8 June 2018
SG/MAV/kop

International transfer of players

Dear Sir or Madam,

We refer to the administrative procedure governing the international transfer of players, with particular reference to refugees and "protected persons" as well as to art. 8.2 par. 1 of Annexe 3 to the Regulations on the Status and Transfer of Players (hereinafter: *the Regulations*) concerning the timely upload of mandatory documents in the International Transfer Matching System (ITMS), in particular the proof signed by the player and his/her former club that there is no third-party ownership (TPO) of the player's economic rights.

Refugees and "protected persons"

We wish to remind you that, as a matter of principle, all transfers of players (minors or players over the age of 18) moving internationally for humanitarian reasons, i.e. in situations where the player has had to flee the country of his/her nationality for specific humanitarian reasons related to his/her life or freedom being threatened on account of race, religion, nationality, belonging to a particular social group or belief in a particular political opinion and who cannot therefore be expected to return to it, international clearance in the form of an international transfer certificate (ITC) must be obtained from the association of his/her former club.

In such circumstances, it must however not only be guaranteed that the association intending to register the player for one of its affiliated clubs adheres to the relevant provisions governing the administrative procedure for the international transfer of players (cf. particularly art. 9 par. 1 in conjunction with Annexe 3, Annexe 3a and art. 2 par. 2 of the Regulations), but also that the government authorities in the country of the player's nationality and former club are not able to potentially find out his/her whereabouts due to the ITC proceedings, which could otherwise possibly jeopardise his/her safety as well as the safety of his/her family.

As an exception to the strict application of the pertinent provisions of the Regulations, the association of the club for which the player concerned intends to be registered must therefore directly **request that the Players' Status Department of FIFA (FIFA PSD) intervene** (via PDF file(s) attached to an email sent to psdfifa@fifa.org) **rather than requesting the ITC from the association of the player's nationality and former club**. Together with the request for intervention, the new association must provide the pertinent documentary evidence to corroborate that the player involved has indeed been granted the status of a person in need of protection by the competent authorities of the country of arrival.

Upon receipt of such documentary evidence, the FIFA PSD will be able to commence its intervention and contact the alleged former association, which would normally be involved in the proceedings concerning the issue of the ITC. The FIFA PSD will ask it whether the player in question has indeed been registered with it for one of its clubs, without disclosing at which association and for which club the player is intending to be registered. Should the FIFA PSD not receive any reply from the former association, it will have no alternative but to assume that the player in question has never been registered with it.

If there is no reply (see the above paragraph) or a negative answer (confirmation that no records of the player's registration exist) from the former association during these proceedings, the association intending to register the player may, on confirmation by the FIFA PSD, proceed to register the player without the ITC being issued by the former association or a decision being taken by the single judge of the Players' Status Committee on the possible registration of the player for his/her new club, provided that all other registration prerequisites stipulated in the Regulations are duly adhered to.

Should, however, the former association inform the FIFA PSD that the player has been previously registered with one of its affiliated clubs and provide the relevant documentary evidence, the FIFA PSD will proceed to submit the matter to the single judge of the Players' Status Committee for consideration and a formal decision regarding the authorisation of the player's registration for his/her new club, obviously also without disclosing the whereabouts of the player.

This approach applies to all female and male refugees or "protected persons", regardless of whether they are registered as professionals or amateurs, within the scope of 11-a-side football or otherwise.

Notwithstanding the above, and for the sake of completeness, we would like to add that should the player concerned have terminated his/her football activity at the former club more than 30 months prior to the request of his/her registration with a new club at a new association, he/she is no longer considered to be registered with the association of his/her nationality and former club (cf. art. 4 of the Regulations). His/her envisaged registration for the new club would, in that case, not require the issue of an ITC (first registration of the player).

Finally, we would like to point out that, in order to avoid possible safety issues for minors and their families, if an association submits an application for a minor moving for humanitarian reasons prior to his/her international transfer (if he/she was previously registered with the association of his/her nationality or any other association) via ITMS, the former association will not have access to the information contained therein, it will not be invited to provide comments and it will not be notified of the Players' Status Sub-Committee's decision (cf. "FIFA TMS 7.7 – Release notes" of 23 February 2017).

Best efforts to obtain “proof of no TPO” from former club

We would also draw your attention to art. 8.2 par. 1 of Annexe 3 to the Regulations, according to which all data allowing the new association to request the ITC shall be entered into TMS, confirmed and matched by the club wishing to register the player during one of the registration periods established by that association. Moreover, in accordance with the aforementioned provision, when entering the relevant data, the new club must upload the relevant mandatory documents, depending on the selected instruction type.

In accordance with the aforementioned provision, proof signed by the player and his/her former club that there is no third-party ownership (TPO) of the player’s economic rights is a mandatory document that must be duly uploaded by the new club in all types of transfer instructions. If the new club is not able to obtain this “proof of no TPO” document from the former club, it must at least upload evidence in the relevant transfer instruction that it has made its best efforts to obtain this “proof of no TPO” document from the former club (cf. TMS monthly newsletter no. 111 of 15 November 2017).

With a view to avoiding any possible misunderstandings concerning this matter, we would like to add that the pertinent documentary evidence of the best efforts made by the new club to obtain this “proof of no TPO” document from the former club must be uploaded in the transfer instruction in question **within the relevant registration period** established by the association concerned.

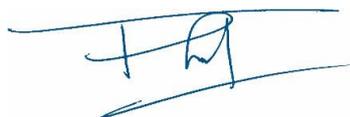
In order to guarantee the proper process and prevent any potential issues relating to the respective registration proceedings, we would ask you to take due note of these clarifications and inform your affiliated clubs accordingly.

Please do not hesitate to contact the FIFA PSD if you have any questions in connection with the above.

We thank you for taking note.

Yours faithfully,

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION



Fatma Samoura
Secretary General

cc: FIFA Council
Players’ Status Committee
Confederations